IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4808 OF 2003
IN
CRIMINAL APPEAL NO. 488 OF 2003

The State of Maharashtra ..Applicant

Vs.

Rambahadur Tejbahadur Vishvakarma
and ors. ..Respondents

Mr. K.V. Saste, APP for applicant-State.

**CORAM: B.H. MARLAPALLE & R.S. MOHITE,JJ.**

**Date : February 21, 2007.**

**P.C.:**

. Heard Mr. Saste the learned APP. The State has filed Criminal Appeal No. 488 of 2003 under Section 378(1) of the Cr.P.C. against the Judgment and Order of acquittal passed by the learned Addl. Sessions Judge, Greater Bombay in Sessions Case No. 1438 of 1998 on 7/7/2002 for the offences punishable under Section 392, 397, 452 read with Section 34 of IPC as well as Section 135 of the Bombay Police Act but the appeal is filed belatedly and hence this application for condonation of delay.

. As per the office note the delay caused is of 36 days and we are satisfied that the same deserves to be condoned.

. Hence this application is allowed in terms of prayer clause (b).

**(R.S. Mohite, J.)** **(B.H. Marlapalle,J.)**